

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WILLIAM C. FLOYD, JR.,	)	
	)	
Plaintiff,	)	8:05CV0516
	)	
v.	)	ORDER
	)	
UNKNOWN HUBBER, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on filing no. 16, the motion to amend, filed by the plaintiff. In filing no. 16, the plaintiff requests leave to amend his complaint to sue the defendants in both their official and individual capacities. After review of the record I will grant the plaintiff's request. The docket will reflect that plaintiff is suing the defendants in both their official and individual capacities.

Also before the court are filing nos. 25, 35, and 37, the motions to amend, filed by the plaintiff. In all three motions, plaintiff seeks to add new parties and clarify his complaint. After review of the record, filing nos. 25 and 37 are denied as moot. Filing no. 35 is granted and the current defendants in this case will be as requested in the amended complaint:

1. Sheriff Dunning
2. Captain Hubber
3. Sergeant Rogers
4. Unknown Pierce
5. Unknown Adams
6. Unknown Shirley
7. Unknown McNeil
8. Nurse Rhonda Moore
9. Nurse Mark
10. Dr. Gensler

I will direct the Clerk of the Court to issue the plaintiff 4 additional summons and 285 forms for the new defendants. The complaint in this case shall consist of filing no. 1 as amended by filing no. 37.

IT IS THEREFORE ORDERED:

1. That filing no. 16 is granted and all the defendants are being sued in both their official and individual capacities;
2. That filing no. 25 is denied as moot in light of this order;

3. That filing no. 35 is granted insofar as stated in this order; and
4. That filing no. 37 is denied as moot in light of this order.

DATED this 17<sup>th</sup> day of March, 2006.

BY THE COURT:

S/F.A. GOSSETT  
United States Magistrate Judge